

MEMORANDUM

DATE: April 8, 2005

TO: Planning and Zoning Board

FROM: Marc LaFerrier, AICP, Planning and Zoning Director

BY: Elizabeth V. Holt, AICP, Acting Principal Planner and
Linda C. Strutt, AICP, Linda Strutt Consulting, Inc.

SUBJECT: **Case 1-T-05** Public Hearing for the purpose of making a transmittal recommendation to the City Commission and to receive public comment on the proposed Comprehensive Plan Evaluation and Appraisal Report (EAR)

In conformance with Section 163.3191, Florida Statutes, the City is periodically required to prepare an Evaluation and Appraisal Report of its adopted Comprehensive Plan ("Plan") to assess the effectiveness of the Plan and identify changes that are necessary to update it. These updates are also intended to ensure that the Plan is modified to reflect changes in the law, to respond to unanticipated problems and opportunities within our community and to address any major issues recognized by our city officials and citizens. The recommendations of the EAR will ultimately lead to an updating of the current Plan, which was adopted in January 1999.

The EAR is the first part of a 2-phase cycle and is intended primarily to evaluate our current Plan and make recommendations for future amendments. The second phase, described in more detail on page 2 of this document, consists of developing the actual amendments to either the Plan text or maps and will begin once DCA finds the final EAR sufficient.

Staff has completed the following steps of the EAR process:

1. Held two local workshops in June, 2004 with state and county agency representatives and members of the public to review changes in the 2004-2005 EAR process and to receive input on key planning issues required to be addressed by the State (The summary of issues is part of **Exhibit A**, referenced in item 2 below). To encourage additional public participation, we have provided EAR information on the City's webpage, e-mailed the PZB agenda to all civic associations that provided an e-mail address, mailed a notice of public hearing to all civic associations, provided copies to all libraries located in the City and adjacent cities.
2. Presented the results of the scoping meeting to the City Commission on July 7, 2004, which was open to the public, and received direction to submit materials to State Department of Community Affairs ("DCA") identifying the issues to be addressed in this EAR process. Included in that submittal was our request for a Letter of Understanding from DCA, which would express agreement with our identified issues and scope of work (**Exhibit A** - Memo #04-0907);
3. Received the Letter of Understanding from DCA in February 2005, (**Exhibit B**) indicating agreement with the City's proposed issues, and requesting us to consider the additional issue of intensity standards for all nonresidential and mixed-use future land use. This allowed staff to proceed with the evaluation & appraisal of the Plan in relation to these subjects.
4. Requested the City Commission to approve a consultant contract on February 1, 2005 to assist staff with portions of the EAR
5. Prepared a proposed EAR (**Exhibit C**) according to the State's rules (9J-5) and guidelines. Staff from many City Departments participated in its preparation by contributing necessary data and has reviewed the document for accuracy in portraying the issues.

Note: The EAR was prepared as a draft document at the strong recommendation of DCA staff, although June 1, 2005 is the scheduled adoption date for the final report.

The EAR document is intended to be self explanatory and consists of a Table of Contents for ease of locating the relevant sections, a summary of all the Major and Local issues, with appropriate maps and charts for illustration and matrices evaluating each Plan Element at the objective level. Due to the volume of information assembled here, this document is being distributed to you for review prior to delivery of the full agenda package.

The Board will be acting as the Local Planning Agency in the review of the EAR and receiving public comment. We will forward the LPA's recommendation for transmittal of the proposed EAR to DCA, and the public comment, to the City Commission, which is scheduled to hear the transmittal request at its May 17, 2005 regular meeting.

Following the transmittal hearing, the proposed EAR will be sent to DCA and other state, regional and local reviewing agencies. We are scheduled to receive preliminary "courtesy" comments from the reviewing agencies within 30 days. After the document is revised to address the preliminary comments, we will schedule the EAR for adoption. The adoption process will require at least one more public hearing by the City Commission. We anticipate that this request will occur at the Commission's first available regularly scheduled meeting in September 2005. Subsequent to adoption, the final document will be transmitted to DCA and the other reviewing agencies for the sufficiency review. Finding of Sufficiency is a 90 day total process, and anticipated to be complete in December 2005, but preliminary comments from DCA regarding determination of sufficiency are scheduled 60 days after DCA receives the adopted EAR.

After the EAR is found to be sufficient, we can begin the last phase of this process, which is developing the amendments that have been identified and recommended in the EAR. These EAR-based amendments may consist of text changes, such as revisions to the goals, objectives and policy statements, or they can be land use changes to our adopted Future Land Use Map (FLUM). There will also be opportunity to address other issues that may arise during this process.

Action: Recommend that the Commission transmit the proposed EAR to DCA

PZB-(Case 1-T-05)/4-20-04/EVH